

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

NIKCI BOYD,

Plaintiff,

vs.

OFFICER HUNTER,

Defendants.

Case No. 2:14-cv-02043-GMN-GWF

**ORDER**

On December 5, 2014, Plaintiff Nikci Boyd filed he Complaint (ECF No. 1). However, Plaintiff failed to pay a filing fee or file an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 plus an additional \$50 administrative fee is required to commence a civil action in federal district court. The court may authorize the commencement of an action without prepayment of fees and costs or security if the plaintiff is granted *in forma pauperis* status by the Court. 28 U.S.C. § 1915(a)(1). To proceed *in forma pauperis*, a plaintiff must submit an *in forma pauperis* application to the Court, accompanied by an *In Forma Pauperis* Motion Financial Certificate and a copy of the plaintiff's prison account statement showing the current balance of the account.

Should Plaintiff decide to apply for *in forma pauperis* status, she is notified that she will still be required to pay a total amount of \$4000.00, which will be deducted from her prison account in installments. Pursuant to the Prison Litigation Reform Act of 1995, the District Court is required to assess a fee where a prisoner is granted leave to proceed *in forma pauperis* in a civil action and the prison officials are required to collect and remit the money to the Court. *See* 28 U.S.C. § 1915(b)(1)-(2). Pursuant to the *In Forma Pauperis* ("IFP") Motion Financial Certificate, a plaintiff must pay a filing fee of \$400.00. If the plaintiff does not have \$400.00, the plaintiff will be required to pay either

1 20% of the average monthly balance or 20% of the average monthly deposits, whichever is greater.  
2 Furthermore, the plaintiff will be required to pay installments of 20% of the preceding month's  
3 deposits to the account in months that the account balance exceeds \$10.00. Accordingly,

4 **IT IS HEREBY ORDERED** that the Clerk of the Court shall send Plaintiff an Application to  
5 Proceed *In Forma Pauperis* (Prisoner), *In Forma Pauperis* Motion Financial Certificate and  
6 Instructions for the Application to Proceed *In Forma Pauperis*.

7 **IT IS FURTHER ORDERED** that Plaintiff shall have until **thirty (30) days** from the date of  
8 this order to either pay the appropriate filing fee of \$400.00, or submit a completed application and  
9 affidavit in support of her request to proceed *in forma pauperis*. Plaintiff's failure to comply with  
10 this order will result in the recommendation that this action be dismissed.

11 DATED this 31st day of August, 2016.

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14 GEORGE FOLEY, JR.  
United States Magistrate Judge